

Licensing and Safety Committee

Agenda and Reports

For consideration on

Wednesday, 11th July 2007

In the Council Chamber, Town Hall, Chorley

At 2.00 pm



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Chief Executive's Office

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Date: 2 July 2007

Chief Executive: Donna Hall

Chorley
Council

Town Hall
Market Street
Chorley
Lancashire
PR7 1DP

Dear Councillor

LICENSING AND SAFETY COMMITTEE - WEDNESDAY, 11TH JULY 2007

You are invited to attend a meeting of the Licensing and Safety Committee to be held in the Council Chamber, Town Hall, Chorley on Wednesday, 11th July 2007 commencing at 2.00 pm.

AGENDA

1. **Apologies for absence**
2. **Declarations of Any Interests**

Members are reminded of their responsibility to declare any personal interest in respect of matters contained in this agenda. If the interest arises **only** as result of your membership of another public body or one to which you have been appointed by the Council then you only need to declare it if you intend to speak.

If the personal interest is a prejudicial interest, you must withdraw from the meeting. Normally you should leave the room before the business starts to be discussed. You do, however, have the same right to speak as a member of the public and may remain in the room to enable you to exercise that right and then leave immediately. In either case you must not seek to improperly influence a decision on the matter.

3. **Minutes (Pages 1 - 2)**

To receive the Minutes of the Licensing and Safety Committee held on 23rd May 2007 (enclosed)

4. **Licensing Liaison Panel (Pages 3 - 6)**

To receive the minutes of the Licensing Liaison Panel held on 11 June 2007 (enclosed)

5. **Licensing and Registration Summary - 10 May 2007 to 27 June 2007 (Pages 7 - 10)**

Report of the Director of Customer Democratic and Legal Services (enclosed)

6. **Smoke Free Legislation**

Director of Streetscene, Neighbourhoods and Environment to report on the new legislation, which came into effect on 1 July 2007

7. **Any other item(s) that the Chair decides is/are urgent**

Continued....

8. **Exclusion of the Public and Press**

To consider the exclusion of the press and public for the following items of business on the ground that it involves the likely disclosure of exempt information as defined in Paragraph 4 of Part 1 of Schedule 12A to the Local Government Act 1972.

9. **Application for Licence to Drive Hackney Carriage/Private Hire Vehicles (Pages 11 - 24)**

Director of Customer, Democratic and Legal Services (enclosed)

Yours sincerely



Chief Executive

Distribution

1. Agenda and reports to all Members of the Licensing and Safety Committee (Councillor Mrs Iris Smith (Chair), Councillor Edward Smith (Vice-Chair), Councillors Judith Boothman, Terry Brown, Magda Cullens, David Dickinson, Doreen Dickinson, Mrs Pat Haughton, Keith Iddon, Miss Margaret Iddon, Hasina Khan, Margaret Lees, Marion Lowe, Thomas McGowan, Ralph Snape, John Walker and Mrs Stella Walsh) for attendance.
2. Agenda and reports to Janet Brereton (Legal Assistant (Licensing and Registration), Gordon Bankes (Democratic Services Officer) and Keith Ogden (Enforcement Officer) for attendance.
3. Agenda and reports to Simon Clark (Environmental Health Manager) for attendance.

This information can be made available to you in larger print or on audio tape, or translated into your own language. Please telephone 01257 515118 to access this service.

આ માહિતીનો અનુવાદ આપની પોતાની ભાષામાં કરી શકાય છે. આ સેવા સરળતાથી મેળવવા માટે કૃપા કરી, આ નંબર પર ફોન કરો: 01257 515822

ان معلومات کا ترجمہ آپ کی اپنی زبان میں بھی کیا جاسکتا ہے۔ یہ خدمت استعمال کرنے کیلئے براہ مہربانی اس نمبر پر ٹیلیفون

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Licensing and Safety Committee**Wednesday, 23 May 2007**

Present: Councillor Mrs Iris Smith (Chair), Councillor Edward Smith (Vice-Chair) and Councillors Terry Brown, David Dickinson, Doreen Dickinson, Miss Margaret Iddon, Hasina Khan, Margaret Lees, Marion Lowe, Thomas McGowan, Ralph Snape, John Walker and Mrs Stella Walsh

07.LS.40 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Judith Boothman, Patricia Haughton and Keith Iddon

07.LS.41 DECLARATIONS OF ANY INTERESTS

Councillor Ralph Snape declared an interest in relation to Item 7 on the agenda (Minute 07.LS.44).

07.LS.42 MINUTES

RESOLVED – That the Minutes of the meeting of the Licensing and Safety Committee held on 25 April be confirmed as a correct record and signed by the Chairman.

07.LS.43 LICENSING & REGISTRATION SUMMARY OF ACTIVITY FROM 10 MARCH 2007- 09 MAY 2007

The Committee received a report of the Director of Customer, Democratic and Legal Services on the various licences and permits issued and the registrations effected by the Licensing Section between the period 10 March and 9 May 2007.

RESOLVED – That the report be noted.

07.LS.44 APPLICATION FOR LICENCE TO DRIVE HACKNEY CARRIAGES/PRIVATE HIRE VEHICLES WITHIN THE BOROUGH

Further to Minute 07.LS.33 the Committee received a report of the Director of Customer, Democratic and Legal Services requesting the Committee to consider an application for a licence to drive Hackney Carriage/Private Hire Vehicles within the Borough of Chorley.

The applicant along with his legal representative was invited to attend the meeting but neither attended.

RESOLVED – That consideration of the application be adjourned to the next meeting of the Committee to be held on 11 July 2007 and that the applicant be informed in writing and delivered by hand to himself and his legal representative, that another opportunity will be given to him to attend to put forward representations in support of his application and if he does not attend on that occasion the application will be considered in his absence.

(Councillor R Snape had declared an interest in the above item and left the room prior to consideration and voting)

Chair

LICENSING LIAISON PANEL – 11 June 2007

PRESENT Councillor Iris Smith, Councillor Edward Smith, Janet Brereton, Jayne Day, Simon Clark, Paul Carter, Paul Dunne, Mark Davies, Yaqoob Illahi, Mazafar Hussain, Lynne and Philip Cooper, Brian Crompton, David Hamer, Peter Verhaege, Andy Wilson, Fern Jones, Hifzur Mala, Zulfikar Nawaz, Tony Bushell, Lindsey Ralston.

1 SMOKE-FREE LEGISLATION – Simon Clark, Environmental Health Manager, Chorley Borough Council gave an informal presentation outlining the health aspect, the Council's enforcement position and the offences and penalties under the legislation which comes into force on 1 July 2007. He explained that the Council would be employing a Public Health Team Technical Officer whose job it would be to deal with complaints and give advice and assistance. The officer would not be uniformed, but carry necessary authorisation. Where several complaints about premises were received a visit would be made and if no changes occurred, then enforcement action would be taken. There was a pack available with additional material which Janet Brereton agreed to get out to proprietors. Further information is also available at www.smokefreeengland.co.uk

The following questions were asked:

Smoking shelters on taxi rank – it was unlikely that the Highway Authority would agree to place a smoking shelter on the taxi rank.

Signs on taxi rank to state vehicles were smoke free – it was generally agreed that the required signage in the vehicles would be sufficient for people to know hackney carriages were smoke free.

Mark Davies from the Crown Public House, Chapel Street pointed out that litterbins had not been replaced following the recent landscape scheme in Chapel Street and Simon Clark agreed to look into this.

It was agreed that there were sufficient litterbins by the rank in High Street.

1.1 SIGNAGE TO COMPLY WITH SMOKE-FREE LEGISLATION – Janet Brereton informed everyone that smokefree vehicles will need to display a small no-smoking sign in a prominent position in each compartment of the vehicle in which people can be carried. Signs could be ordered from the smokefree england website (see above). A small number of signs were available at the meeting and more had been ordered. Brian Crompton agreed to distribute them. Janet Brereton said that if anyone was having difficulty obtaining signs, to contact the Licensing Unit in advance of 1 July 2007. A limited number of 'credit card' size promotional cards would also be supplied by the Council for drivers to give out to members of the public. These had been seen at an earlier meeting. A sheet of the cards which was printable would also be handed out so that proprietors could, if they wished, have more cards printed.

2 PAVEMENT CAFÉ DESIGN GUIDE – Lindsey Ralston, Landscape Assistant, Chorley Borough Council informed everyone that the Council had produced an interim guide which was due to go to the Council's Executive Cabinet on 26 June 2007 to be adopted. The guide sets out the requirements and standards expected of pavement café operations in Chorley Town Centre. The requirements were consistent with other Councils within Lancashire. It was envisaged that a 12-month licence would be £280. Existing premises would also need to comply with the requirements. There was a general discussion which covered areas such as waiter service, which the Police felt would be necessary. Janet Brereton advised people to check whether their Premises Licences allowed the sale of alcohol on and off the premises to accommodate waiter service.

Councillor Iris Smith and Lindsey Ralston noted some panel members had views on this which needed to be taken into account. Janet Brereton agreed to find out how views could be taken to the Executive Cabinet and liaise with Peter Verheage. After the 26 June meeting, the guide would be circulated for comments.

Lindsey Ralston, Simon Clark and Paul Lee left the meeting after being thanked for their presentations.

3 HACKNEY CARRIAGE RANK IN HIGH STREET/SIGNAGE – Paul Dunne attended from Lancashire County Council. He explained the current situation. A consolidation order was in the process of being made which should be finalised in 2 months. Then a new Order needed to be made which should be finalised in approximately 9 months. Time-scales depended on whether any objections were received. Paul Dunne said that the orders required for Hackney Carriage Rank would be a priority. Discussion followed and a plan of action agreed. Janet Brereton agreed to contact Parkwise to discuss whether leaflets could be produced. In addition, there was discussion regarding the dates when the taxi rank was implemented. Paul Dunne agreed to look into this and keep the Licensing Section informed.

Yaqoob Illahi produced a letter from the Executive Director of Environment at Lancashire County Council to Lindsay Hoyle which set out the situation in similar terms.

4 MATTERS ARISING FROM LAST MEETING –

4.1 PUB WATCH MEMBERSHIP – This item had been deferred from the previous meeting. It had become apparent that although it was a condition on some Premises Licences to be a member of Pub Watch, some Premises Licence Holders had not been attending meetings. It was agreed that a joint letter from the Police and Chorley Borough Council be sent reminding Licensees of this condition. Janet Brereton to liaise with Sergeant Bushell on this matter. It was further agreed that any literature provided to us by Pub Watch would be included in application packs which were sent out regularly by the Licensing Section.

4.2 UPDATE ON DRIVER TRAINING – Janet Brereton informed everyone that since the introduction of driver training had been deferred, there was no evidence that applicants were choosing Chorley because of this. The Licensing Section would continue to monitor the situation and any views from the trade are appreciated. Councillor Iris Smith said that this showed that the Licensing and Safety Committee did take on board the views and concerns of the proprietors.

5 BEST BAR NONE – Sergeant Bushell explained that this initiative was now being encouraged countywide. Sixty applications had been sent across Chorley, West Lancs and South Ribble. Five applications had been returned for premises in Chorley and inspections were starting that day. The closing date had been extended and it was noted that whilst some premises may not apply this year, they would be putting in place policies to meet criteria with a view to applying next year.

6 ANY OTHER BUSINESS – A panel member thanked the police for their assistance over the recent Bank Holiday weekend following an assault on one of the drivers.

6.1 Hackney Carriages – A panel member asked if some of the newer police officers could be reminded that hackney carriages were able to pick up/be flagged down in the street.

6.2 Policing of High Street Rank – Several panel members said that they appreciated the additional police presence at the Rank and said it had made a difference.

6.3 Private Hire Operators – A panel member said that if planning did not make conditions restricting the number of private hire vehicles which could return to a town centre base, it meant that the Council was encouraging 'plying for hire'. Janet Brereton agreed to take this matter back to Keith Ogden for comment.

6.4 Private Hire Ranking up on Flat Iron Car Park – A panel member complained that some private hire drivers were parking up on the flat iron car park. He said that when the rank in New Market Street was moved down into High Street, assurances had been given that this would not be allowed to happen. Janet Brereton was to take this back to Keith Ogden.

7 DATE AND TIME OF NEXT MEETING – the next meeting will take place on Monday 13 August 2007 at 10.30am in the Committee Room, Town Hall, Chorley.

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Report of	Meeting	Date
Director of Customer, Democratic and Legal Services	Licensing and Safety Committee	11 July 07

LICENSING AND REGISTRATION – SUMMARY OF ACTIVITY FROM 10 MAY 2007 – 27 JUNE 2007

PURPOSE OF REPORT

- To inform the Committee of the various licences and permits issued, registrations effected and enforcement activity for the above period.

CORPORATE PRIORITIES

- There are no specific implications for corporate policies arising from this report.

RISK ISSUES

- The issue raised and recommendations made in this report involve risk considerations in the following categories:

Strategy		Information	4
Reputation		Regulatory/Legal	
Financial		Operational	
People		Other	

This report is for information only.

- The table below shows the number of licences/registrations issued during this period under the Licensing Act 2003.

Number of	New	Variations	Change of Address	Transfer of Premises Licence	Change of DPS
Personal Licences	14	1	6	0	0
Premises Licences with alcohol	0	6	0	5	11
Premises Licences without alcohol	1	0	0	0	0
Club with alcohol	0	0	0	0	0
Club without alcohol	0	0	0	0	0
Temporary Event Notice with alcohol	18	0	0	0	0
Temporary Event Notice without alcohol	4	0	0	0	0
Interim Authority Notice	0	0	0	0	0

VARIATION OF PREMISES LICENCES

5. Applications have been received for variations of premises licences in respect of Spinners Arms and Brook House Hotel.

REVIEW OF PREMISES LICENCES

6. There has been no application for review of premises licences, and 1 review of a personal licence. This application has yet to be determined by the Licensing and Safety Committee.

HACKNEY CARRIAGES, PRIVATE HIRE REGISTRATIONS

7. The table below shows the number of licences/registrations issued during this period. Generally, renewal Private Hire/Hackney Carriage Vehicle/Drivers Licences and renewal Private hire Operator Licences are now issued by the One Stop Shop.

Number of	New	Renewals	Transfers	Vehicle Change
Private Hire Vehicles	4	27	1	5
Private Hire Drivers Licence	6	23	0	0
Private Hire Operator	0	4	0	0
Hackney Carriage Drivers Licence	1	8	0	0
Hackney Carriage Vehicle	1	1	1	2

SECOND HAND GOODS

8. There have been no applications granted for second hand goods licences during this period.

HOUSE TO HOUSE COLLECTIONS

9. There have been no applications granted for House to House Permits during this period.

STREET COLLECTION PERMITS

10. There have been 9 applications granted for Street Collection Permits during this period for the following charities, 4 for Chorley and South Ribble Shop mobility for collections to be held on 26/05/2007, 22/06/2007, 20/07/2007,31/08/2007, 1 for Bowland Pennine Mountain Rescue Team for a collection to be held on 16/06/2007, 1 for Barnardo's for a collection to be held on 17/11/2007, 1 for Multiple Sclerosis for a collection to be held on 08/09/2007 1 for St John Ambulance Brigade for a collection to be held on 21/06/2007 and 1 for Chorley Lions Club for a collection to be held on 27/05/2008.

LOTTERIES AND AMUSEMENTS ACT 1976 (AS AMENDED)

11. There have been 2 new and no renewal Lottery permits issued during this period.

MOTOR SALVAGE OPERATOR

12. There has been one renewal permit issued for a Motor Salvage Operator Licences for Car Parts Chorley during this period.

GAMING MACHINE SECTION 34 (5E) PERMIT

- 13. There have been 8 new Gaming Machine Permits and no renewal Gaming Machine Permits issued during this period.

ENFORCEMENT VISITS

- 14. 18 visits have been made to licensed premises during this period. All visits were of a routine nature.

SUSPENSION OF VEHICLES

- 15. 1 private hire vehicle licence was suspended for failure to produce up to date insurance.
1 South Ribble private hire vehicle was also suspended for mechanical faults.

COMPLAINTS RECEIVED

- 16. 2 complaints have been received during this period. Both have been resolved.

JOINT OPERATIONS

- 17. 1 joint operation has been conducted with L.C.C. checking vehicles engaged on school contracts. during this period.
Visits have been made with the Police and Fire Service to 5 premises in Chorley that have applied for Best Bar None accreditation.

COMMENTS OF DIRECTOR OF FINANCE

- 18. Not applicable.

COMMENTS OF THE DIRECTOR OF HUMAN RESOURCES

- 19. Not applicable.

RECOMMENDATION(S)

- 20. Members are asked to note the report.

ANDREW DOCHERTY
DIRECTOR OF CUSTOMER, DEMOCRATIC AND LEGAL SERVICES

Background Papers			
Document	Date	File	Place of Inspection
Various applications	Various dates	Various files	Licensing Section, Legal Services, Chorley

Report Author	Ext	Date	Doc ID
Jayne Day	5708	28 June 2007	LEGREP/2806LM1

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